

From: Tony Notto
To: Microsoft ATR
Date: 1/23/02 12:39pm
Subject: Microsoft Settlement

Dear Sirs,

I am writing to protest the proposed settlement with Microsoft. One of the many reasons I am opposed to this settlement is that it fails to, as the court of appeals stated in their ruling (section V.D., p. 99), "...ensure that there remain no practices likely to result in monopolization in the future."

For example, the proposed Final Judgement's definition of the term "API" is overly narrow and excludes Windows APIs used by other application programs. This means that Microsoft would be able to continue to build means of interaction between its operating system and its other software packages, without having to make the specifications for that same interaction available to developers of competing software packages. Thus, Microsoft's anti-competitive practices would continue as they have in the past.

The fact that the Proposed Final Judgement does not address many of Microsoft's anti-competitive practices is very serious. Please review the PFJ in light of the comments you have received, and amend it so that it will no longer have any shortcomings that would allow Microsoft to continue its discriminatory and anti-competitive practices. You can find a much more thorough evaluation of the PFJ in Dan Kegel's essay available at

<http://www.kegel.com/remedy/remedy2.html>

and mirrored at

<http://crossover.codeweavers.com/mirror/www.kegel.com/remedy/remedy2.html>

Sincerely,

Tony Notto

Student, University of Minnesota